

STATE OF MISSISSIPPI



JIM HOOD
ATTORNEY GENERAL

Case No: PI-17-00030

Investigators: Roger Wade and Gypsi Ward

Subject: Death Investigation: Christian Andreacchio

Date: 08/24/2017

Predication:

On February 23, 2017, a letter was forwarded via Attorney General Jim Hood to the Public Integrity Division requesting our office review and present a matter to the Lauderdale County Grand Jury concerning the death of Christian Andreacchio. District Attorney Bilbo Mitchell cited numerous reasons of conflict in this matter and at the direction of AG Hood, PID Director Stanley Alexander instructed this matter be opened as a referral case. Andreacchio's was found dead in Meridian, MS on February 26, 2014. The Meridian Police Department, Meridian, MS, investigated the death and determined Andreacchio died from a self-inflicted gunshot wound to the head. The matter was reviewed by the Mississippi Bureau of Investigation and prepared for Grand Jury presentation, with their review confirming the findings of MPD. Several other private investigative firms have also reviewed the case information. All documentation will be recovered and examined further before GJ presentation.

Narrative:

The following entries will outline, generally, what is contained in the various investigations conducted in to this case. Particular attention will be paid to available credible evidence, statements and will address as many of the discrepancies as possible given the information available.

Meridian Police Investigation

The Meridian Police report outlines the initial response, photography of the scene, collection of evidence, statements collected. Both scene photos and the detective's narratives depict how Andreacchio's body was found by law enforcement and other first responders. Both say that Andreacchio was found in the upstairs bathroom slumped over with his head in the bathtub and his legs and arms outside of the bathtub. There was a bullet found in the bathtub and a casing found in the room. Both were collected as evidence. There was also a photograph taken of a hole near the corner of an electrical outlet in the sheetrock wall opposite the bathtub. A firearm was discovered and collected. No mention of the condition where in the cycle of operation the firearm was when found; i.e., state of the firearm's hammer, whether it was loaded or if there was a round in the chamber. Nor was it noted as to whether or not the firearm had been rendered safe by any law enforcement official. The firearm was noted to have been discovered on the left side of Andreacchio's body between the bathtub and his thigh. Gunshot residue collections were made

from Andreacchio, Goodman and Swearingen. A box of 45 caliber black talon ammunition was also collected from the apartment.

Statements were obtained from both Swearingen and Goodman. Dylan Swearingen's statement explains that the deceased, Andreacchio, called and asked if he would come pick him up from St. Rose, LA when the tug boat he worked on was docked there. Swearingen did and drove him back to Meridian. Once back in Meridian they went directly to the apartment. Swearingen said that Andreacchio and Goodman argued about her seeing other men and during the argument Swearingen says he saw Andreacchio put a gun to his head. He also said that he hid the gun from Andreacchio but returned it later. Swearingen said that he left the residence twice. The first time to get food and went to the bank and the second time he went to Best Buy. Swearingen said that he was provided, by Andreacchio, banking information to withdraw money but the bank did not allow it. Swearingen reports that it was on the return of the second trip he discovered Andreacchio deceased. Based on questions asked by Det. Wilburn, Swearingen said that he had heard Andreacchio threaten suicide before and that he did not know why Andreacchio want him to take out his money from the bank. Det. Wilburn asked Swearingen why he gave the firearm back to Andreacchio and he responded with, "I couldn't take it with me?"

Meridian detectives attempted to obtain video of Swearingen at the Best Buy but there was no video.

Whitley Goodman's statement was taken by Det. Thompson. Goodman explained in her statement that Andreacchio had trust issues that affected their relationship. Goodman said that he came home early from work and they took a ride to Bonita Lake where he told her that "...between me and his mom he couldn't make anyone happy". Goodman then describes laying down with her dog, later being woken up by Swearingen and going upstairs to find Andreacchio deceased. Det. Wilburn asked Goodman if Andreacchio had "ever talked about hurting himself", to which she responded, "I don't think so". Det. Wilburn asked Goodman directly if she shot Andreacchio and she responded, "No, Sir." Goodman admits to going upstairs, hugging Andreacchio around his waist and holding his hand. Goodman adds that she did not hear a gunshot and had taken Xanax. Goodman explained that she thought Andreacchio killed himself because he loved her and he didn't think she loved him.

A subsequent interview of Dallas Steele revealed that Goodman alleged to have been shooting firearms the day before Andreacchio's death. Interviews of those she was with that day are inconclusive; one person, Matt Miller, says while Goodman was there she did not fire any weapons, the other, Jett, Miller, says that Goodman did fire weapons.

There was a mention of some missing money and a weapon from Andreacchio's vehicle that was left in Vicksburg, MS but no evidence was presented in the case file to prove or disprove the report.

The case was later reassigned to a different detective, Jerry Bratu. Det. Bratu noted some discrepancies in his review of the case information including but not limited to, positioning of the body, lack of blood spatter, few photographs, position of the weapon, position of the hammer on the weapon, being sent to the wrong address, and time of death vs 911 call time. Det. Bratu followed up on several interviews but developed no physical evidence. What Det. Bratu did note was that those he talked to about Goodman and Swearingen found them to be drug users and were poorly spoken of. Specifically Det. Bratu writes, "Several of Whitley's friends believe she killed Christian or say she was capable of doing it." (Det. Bratu does not offer any evidence provided by these friends.) There was also a note in Det. Bratu's narrative that a life insurance policy on Andreacchio was asked about by Swearingen. (No documentation on a life insurance policy was provided in any of the files given to the MSAGO.)

There was a DNA sample that was taken from the firearm found at the scene but the Det. Bratu noted the MS Crime Lab did not have enough sample to create a profile.

It should be noted here that the photographs from the scene investigation are of poor quality and do not show much detail in the condition of the bathroom. There are photos that suggest some markings either on the wall near the electrical outlet and on the floor between the bathtub and toilet may be blood spatter but no mention is made of any sample collection of these markings. As will be evident when reviewing other photos and reports presented in this case there were blood spatter markings made on the wall opposite the toilet with no explanation in the initial Meridian PD report. None of the photos taken are given scale. Photos of the weapon are either blurry when it was photographed in the position it was found or after it had been handled by one of the investigating officers.

The Meridian Police Department initially ruled the case a suicide. Det. Bratu brought the information he gathered in his follow-up investigation to the District Attorney's Office. No presentation to the grand jury was made.

Meridian Police Department was the initial responding and investigating agency, MPD Case # 1-14-008628. On February 26, 2014 at approximately 1645hrs Meridian officers were dispatched to a reported suicide at 801 Deer Run Meridian, MS. The reporting officer is listed as James Lagoy. The reporting party is Dylan Swearingen (05/04/1993//601-616-5650) and the victim is listed as Christian Andreacchio. Listed as a witness is Whitley Goodman (09/27/1996//601-604-4836). Also listed are Michael Sims, Dallas Steele and Mathu Miller. Dispatch notes show that the caller reported a "male in the bathroom" with "blood everywhere" and that he believed "he shot himself". The notes also show that the initial location provide by the caller was the wrong location and officers had to be re-routed.

The initial officer on scene was Officer Lagoy. Lagoy said upon arrival he encountered Swearingen and Goodman noting Goodman was "...in tears obviously distraught..." Lagoy describes going into the bathroom where he describes Andreacchio's body slumped over, into the bathtub; head in the bathtub and body outside of the bathtub. Lagoy said it appeared that the blood in the bathtub had begun to coagulate. The first detective, Detective Wilburn, arrived at the same time the ambulance arrived at 1708hrs. The coroner, Clayton Cobbler, arrived at 1725hrs.

Det. Wilburn noted that he observed Andreacchio in the same position as described by Lagoy. Det. Wilburn said that he recovered the firearm, "from under his body", after the coroner was on scene. Det. Wilburn recovered a "bullet casing" from the bathtub. Det. Wilburn made contact with the Anderacchios informing them of Chrisitan's suicide. Det. Wilburn took a statement from Dylan Swearingen.

According to Det. Thompson's report, the crime scene was processed by Det. Thompson and Det. Scott. Det. Thompson took photographs and Det. Scott collected evidence. The report describes the firearm was found "...under the body." and a silver magazine was found in a downstairs bedroom.

Det. Wilburn, in his report, describes responding to the scene and seeing the deceased “bent over with his head in the bathtub.” Det. Wilburn also notes that he retrieved the firearm from under Andreacchio’s body and collected the “bullet casing” placing both in evidence. (It is important to note here that Det. Wilburn does not describe what condition the firearm is found in at this point. No mention is made of either he or another officer clearing the weapon or if the weapon was found with the hammer forward.)

In Det. Scott’s narrative on his actions at the crime scene, he notes that he processed both Andreacchio and Swearingen for gunshot residue. It was also noted in the MPD Report that the MS Crime Laboratory would do gunshot residue testing on Andreacchio. Det. Scott also recorded that he collected a box of 45 caliber ammunition, holster, magazine and assisted Det. Wilburn in collecting a 45 caliber projectile and shell casing.

Dylan Swearingen’s statement explains that the deceased, Andreacchio, called and asked if he would come pick him up from St. Rose, LA when the tug boat he worked on was docked there. Swearingen did and drove him back to Meridian. Once back in Meridian they went directly to the apartment. Swearingen said that Andreacchio and Goodman argued about her seeing other men and during the argument Swearingen says he saw Andreacchio put a gun to his head. He also said that he hid the gun from Andreacchio but returned it later. Swearingen said that he left the residence twice. The first time to get food and went to the bank and the second time he went to Best Buy. Swearingen said that he was provided, by Andreacchio, banking information to withdraw money but the bank did not allow it. Swearingen reports that it was on the return of the second trip he discovered Andreacchio deceased. Based on questions asked by Det. Wilburn, Swearingen said that he had heard Andreacchio threaten suicide before and that he did not know why Andreacchio want him to take out his money from the bank. Det. Wilburn asked Swearingen why he gave the firearm back to Andreacchio and he responded with, “I couldn’t take it with me?”

Whitley Goodman’s statement was taken by Det. Thompson. Goodman explained in her statement that Andreacchio had trust issues that affected their relationship. Goodman said that he came home early from work and they took a ride to Bonita Lake where he told her that “...between me and his mom he couldn’t make anyone happy”. Goodman then describes laying down with her dog, later being woken up by Swearingen and going upstairs to find Andreacchio deceased. Det. Wilburn asked Goodman if Andreacchio had “ever talked about hurting himself”, to which she responded, “I don’t think so”. Det. Wilburn asked Goodman directly if she shot Andreacchio and she responded, “No, Sir.” Goodman admits to going upstairs, hugging Andreacchio around his waist and holding his hand. Goodman adds that she did not hear a gunshot and had taken Xanax. Goodman explained that she thought Andreacchio killed himself because he loved her and he didn’t think she loved him.

There were narrative entries in the MPD file where MPD officers show contact with Andreacchio’s employer about the reason he gave when leaving work and about the location of his vehicle in Vicksburg, MS. Andreacchio’s employer, Magnolia Marine Transport Company, understood Andreacchio to have left work due to family issues; mother having issues and fighting with other family members and he had to take them money, a car, keys to an apartment. Det. Wilburn asked Magnolia Marine employees about any money and a gun being missing from a vehicle, but they knew nothing of it prior to the investigation.

Det. Wilburn and Det. Scott attempted to obtain video surveillance from the Best Buy that Swearingen said he went to but no video was available.

The report has a statement taken from Dallas Steele. Steele alleged to be a friend of Goodman and that she was with Goodman after the incident had occurred at the apartment. Steele said that Goodman explained that she would have gunshot residue on her hands because she was shooting firearms the previous day with Matt Miller and Jett Miller and that Goodman mentioned that she was touching

Andreacchio when the police and paramedics arrived. Steele brought a jacket worn by Goodman to the police department. The jacket was submitted for analysis.

(Autopsy and Coroner's report will be discussed in a separate part of this report)

The Meridian Police Department ruled the death of Christian Andreacchio a suicide.

Meridian Police Investigator Jerry Bratu was assigned to review the case by a more recently appointed Chief Dubose. Inv. Bratu after review of case file began to have some questions about the investigation; including but not limited to, positioning of the body, lack of blood spatter, few photographs, position of the weapon, position of the hammer on the weapon, being sent to the wrong address, and time of death vs 911 call time.

Inv. Bratu also notes that Goodman's statement to law enforcement differs from what others have reported her telling. According to Inv. Bratu, Goodman told law enforcement she was awakened by Swearingen who informed her of Andreacchio's death but has told others that she heard the gunshot and found the body.

Inv. Bratu notes that Goodman explained having gunshot residue on her because she had fired weapons the day before with Matt and Jett Miller. Matt Miller admits that Goodman was there but did not fire any weapons but Jett Miller recalls her firing weapons.

Inv. Bratu discusses in part of his narrative that the explanation provided by MBI Agents that Andreacchio's hoodie was possibly up and caught the blood spatter from the gunshot wound. Inv. Bratu disagrees based on the way the hoodie is depicted in the scene photographs.